REMARKS

Claims 1-37 were pending in the application. Claims 1-7, 16-24, 33-34, and 36-37 have been cancelled. Please cancel the claims without prejudice as Applicant reserves the right to pursue the cancelled claims in a continuation application. Claims 8, 25 and 28-30 have been amended. In particular, claims 8 and 25 have each been rewritten in independent form to include limitations of corresponding base claims and intervening claims, and claims 28-30 have been amended to correct minor informalities. No new matter has been added. Accordingly, claims 8-15, 25-32, and 35 remain pending in the application. Applicant respectfully requests reconsideration in view of the amendments to the claims and the following remarks.

I.   Claim Objections

Claims 16 and 33 were objected to as not being dependent from a preceding claim. Claims 16 and 33 have been cancelled rendering the claim objections moot.

II.   The § 103 Rejections

Claims 1-37 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,003,531 ("Holenstein"), in view of U.S. Patent No. 5,787,247 ("Norin") and U.S. Patent No. 6,934,727 ("Berkowitz").

Applicant respectfully traverses the rejections.

Claim 8 recites a method of loading data into a new table copy, in which the new table copy is to be added to a database replication group including a plurality of pre-existing table copies. In particular, the method includes (concurrent to loading data from a source table copy into the new table copy) simultaneously applying changes of a user application received during the loading of the data to the plurality of pre-existing table copies in the database replication group including the source table copy. In addition, a spill storage area at the new table copy is

created and the changes of the user application are stored in the storage spill area <u>without applying the changes of the user application to the new table copy</u>. Upon completion of the loading of the data into the new table copy, the changes of the user application stored in the spill storage area are applied to the new table copy.

A. *Holenstein Fails To Disclose Storing The Changes Of A User Application (Received During The Loading Of The Data) In A Storage Spill Area Without Applying The Changes Of The User Application To The New Table Copy As Recited In Claim 8*

Holenstein discloses techniques for synchronizing a plurality of databases in a database replication system (see Abstract). The Examiner recognizes that Holenstein fails to disclose storing the changes of a user application (received during the loading of the data) in a storage spill area without applying the changes of the user application to the new table copy. The Examiner, however, asserts that this limitation, as well as further limitations absent from Holenstein and recited in claim 8, are disclosed by Norin.

B. *Norin Fails To Disclose Storing The Changes Of A User Application (Received During The Loading Of The Data) In A Storage Spill Area Without Applying The Changes Of The User Application To The New Table Copy As Recited In Claim 8*

Norin discloses techniques for adding a copy of a data set to a server, moving a copy of a data set to another server, and deleting a copy of a data set from a server without inadvertent data loss (col. 1, ll. 10-15). While Norin discloses techniques for adding a copy of a data set to a server, Norin fails to disclose storing the changes of a user application (received during the loading of the data) in a storage spill area <u>without applying the changes of the user application to the new table copy</u> (emphasis added).

Instead, Norin discloses adding a copy of a data set to a server – i.e., an Add Replica Process at col. 28, line 30 – col. 29, line 29 – that differs from Applicant's claimed process. Specifically, Norin's Add Replica Process includes obtaining an unpopulated data set, and then populating the unpopulated data set based on other copies of the data set located at other replica nodes (col. 28, ll. 60-64). However, unlike Applicant's claimed process that <u>does not apply changes</u> of a user application received during the loading of data into the new table copy, and that further <u>waits until the loading of the data into the new table is complete</u> before applying the changes of the user application, Norin clearly discloses that a user can apply changes to a local copy of a data set before and during the population of the data set:

> ... as soon as a replica node learns that it is to now carry a copy of the data set, <u>users may start connecting to this replica, even though it is not populated</u>. <u>Users may also begin adding data</u> to the local copy of the data set. Col. 29, ll. 12-16.

C. *Berkowitz Fails To Disclose Storing The Changes Of A User Application (Received During The Loading Of The Data) In A Storage Spill Area Without Applying The Changes Of The User Application To The New Table Copy As Recited In Claim 8*

The Examiner does not cite Berkowitz for disclosing the step of storing the changes of a user application (received during the loading of the data) in a storage spill area without applying the changes of the user application to the new table copy. Nevertheless, Berkowitz (as with Holenstein and Norin) fails to disclose storing the changes of a user application (received during the loading of the data) in a storage spill area without applying the changes of the user application to the new table copy.

D. The claim has limitations not taught by either reference

Neither Holenstein, Norin, nor Berkowitz discloses storing the changes of a user application (received during the loading of the data) in a storage spill area without applying the changes of the user application to the new table copy. Consequently, any combination of Holenstein, Norin, and Berkowitz cannot render claim 8 obvious.

Claim 8, and the claims that depend therefrom, are allowable for at least these reasons.

E. Other Independent Claims

Independent claims 25 and 35 each incorporates limitations similar to those of claim 8. Claims 25 and 35, and the claims that depend therefrom, are also allowable over Holenstein, Norin, and Berkowitz for reasons corresponding to those set forth with respect to claim 8.

Applicant submits that claims 8-15, 25-32, and 35 are allowable over the cited reference, and are in condition for allowance. Should any unresolved issues remain, the Examiner is invited to call the undersigned at the telephone number indicated below.

Respectfully submitted,

SAWYER LAW GROUP LLP

June 27, 2007

/Kelvin M. Vivian/
Kelvin M. Vivian
Attorney for Applicant
Reg. No. 53,727
(650) 475-1448